

REMARKS

Claims 1-4 and 6-14 are pending and under consideration in the above-identified application. Claims 15-30 were withdrawn from consideration in a previous office action and remain withdrawn. Additionally, claim 5 was cancelled in a previous office action and remains cancelled.

In the Office Action of October 30, 2007, claims 1-4 and 6-14 were rejected. With this Amendment, claims 1-4 and 6-14 have been amended. Accordingly, claims 1-4 and 6-14 remain at issue.

I. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 1-4 and 6-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Rose et al.* (U.S. Patent No. 5,708,709)(“*Rose*”) in view of *Subbiah et al.* (U.S. Patent No. 6,035,403)(“*Subbiah*”). Applicants respectfully traverse this rejection.

In relevant part, independent claim 1 recites:

“one of the user devices is a secure container distributing device which (1) receives a primary distribution including the secure container from the content provider and verifies the authenticity of the secure container, (2) decrypts and extracts the encrypted biometric information template stored in the IDC and (3) is configured to compare sampling information input by a user of a receiving device which is one of the user devices with the decrypted biometric information template to authenticate the user of the receiving device”

...and

“the secure container distributing device initiates a secondary distribution after the primary distribution by sending the content key to the receiving device”

...and

“the receiving device decrypts and copies the content sent from said secure container distributing device, after the user of the receiving device is authenticated”

This is clearly unlike *Rose*, which fails to disclose one of the user devices acting as a secure container distributing device effective to secondarily distribute the content key for reproducing and copying the content stored in the secure container to at least one of the user devices. Instead, *Rose* discloses a system where a server sends an application to a single user workstation and verifies that the single user workstation receiving the application is authorized to receive and execute the application. U.S. Patent No. 5,708,709 Col. 8 l. 25-31. Further, nowhere does *Rose* disclose anything pertaining to one of the user devices acting as a secure container distributing device which is effective to provide secondary distribution of the content key for reproducing and copying the content stored in the secure container to at least one of the plurality of user devices.

As the current application teaches, allowing a user device to act as a secure container distributing device effective to provide secondary distribution of content prevents the content from being used by an unauthorized user because users are authenticated before a transmission of the secured information is executed. U.S. Patent Pub. No. 2002/0027992 Para. [0451]. Accordingly, the system disclosed in *Rose* is incapable of producing the system claimed by Applicants.

Subbiah, similarly, fails to disclose anything pertaining the user devices acting as a secure container distributing device effective to secondarily distribute the content key for reproducing and copying the content stored in the secure container to at least one of the user devices.

Therefore, because *Rose* or *Subbiah* or any combination of the two fail to disclose, or even fairly suggest, every feature of claim 1, the rejection is improper. Because claims 2-4 and 6-14 depend, either directly or indirectly, from claim 1, they are patentable at least for the same reasons.

II. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request notification to that effect.

Respectfully submitted,

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